

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

G.R.,

Plaintiff,

v.

Cause No. 1:22-cv-00212 MIS-SCY

STEPHON LAABS, CAMILLE GONZALES,
MARY CADE, and ALBUQUERQUE PUBLIC
SCHOOLS,

Defendants.

**JOINT MOTION TO VACATE INITIAL SCHEDULING ORDER AND TO SET
STATUS CONFERENCE**

Plaintiff G.R., Defendants Albuquerque Public Schools, Mary Cade and Camille Gonzales (collectively “APS”), and Defendant Stephon Laabs (“Laabs”) jointly move the Court to vacate the deadlines reflected in the current Initial Scheduling Order [Doc. 4], including the May 17, 2022 scheduling conference. The parties further seek an order that sets a status conference for June of 2022. As grounds for this Motion the parties state as follows:

1. This case involves claims that Defendant Laabs sexually assaulted Plaintiff G.R.
2. Defendant Laabs has received a target letter from the Bernalillo County District Attorney. The allegations against Defendant Laabs are scheduled to be heard by a grand jury on or about May 4, 2022.
3. Defendant Laabs has received previous target letters from the Bernalillo County District Attorney’s Office. The proceedings that had been previously scheduled to be heard concerning these allegations have consistently been postponed. Accordingly, it is possible that the proceeding currently set for May 4, 2022 will not begin as scheduled.
4. If Defendant Laabs is indicted, the indictment will have a profound effect on the parties’ discovery plan. For example, an indictment would potentially preclude the parties from taking Mr. Laabs’ deposition for a lengthy period of time. Moreover, in the event of an indictment, Mr. Laabs intends to file a motion to stay this litigation, and Plaintiff intends to oppose that motion.

5. The parties agree that there is little to be gained in developing a discovery plan and adopting a scheduling order until the parties know whether Mr. Laabs is indicted and whether the Court will stay the litigation.

6. The parties further agree that a status conference in June of 2022 would be helpful and would allow the parties and the Court to make a reasoned decision about whether the parties are in a position to proceed with the tasks outlined in the Initial Scheduling Order [Doc. 4] at that time.

7. The circumstances outlined above constitute good cause to grant this Joint Motion.

WHEREFORE, the parties respectfully request that the Court 1) vacate the deadlines reflected in the current Initial Scheduling Order [Doc. 4], including the May 17, 2022 scheduling conference; and 2) enter an order that sets a status conference for June of 2022.

Respectfully Submitted,

MODRALL SPERLING ROEHL HARRIS & SISK, P.A.

By: /s/ Jennifer G. Anderson

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